

1884-005 Chancery Causes: Barrett & Higgins] vs. William H. Nickles & Lee Co.

Barrett, Higgins, Blair, Nickles & Blair], Pridemore

CA-Debt
T-Property

To The Honorable John A. Kelly Judge
of the Circuit Court of Lee Co
Virginia.

Your Orators Wm D. Barnett
and Jesse J. Higgins, merchants and
partners trading under the firm name
and style of "Barnett & Higgins" humbly
complaining sheweth unto your Honor
that heretofore, on the 26th day of
April 1877 one Wm H. Stickle, executed
his promissory note to your Orators by
their firm name due & payable four
months after the date thereof for the
sum of \$226, none of which has
ever been paid your Orators - and
the said Stickle, for the firm of Stickle,
& Blair of which he was member,
being composed of said Stickle & one
^{Marion} Blair, are doing business under
the firm name & style of Stickle & Blair
execute to your Orators under their
firm name, the promissory note of
said Stickle & Blair on the same day
and payable at the same time for
the sum of \$104. This note is also
wholly unpaid and due your Orators
These notes marked "A. & B." will be
found filed herewith, as part hereof

Your Orator, alleges that said Blair
of the firm of Nickles & Blair is wholly
insolvent & gone to parts unknown to
your Orator - Nickles is a nonresident
of the State of Virginia, but owns a
large & valuable farm in the said County
of Lee, on the waters of the ~~Blacks~~
~~Creek~~ ^{middle} ~~known as the~~
~~South~~ ^{South} ~~Blacks~~ ^{Blacks} farm. The rents and profits
of which will in five years pay
said debt.

The object of this bill therefore
is to have said lands attached on
and held liable for said debt; and to
have the same rented for a sufficient
period to pay the same. And that
a decree be rendered in favor of your
Orator therefor.

The premises considered they pray
that said ^{Wm H.} Nickles, ^{and Marion Blair} be made a party
defendant - ~~thereby~~, ~~it being necessary~~
~~to make the said Blair a party he~~
~~being wholly insolvent~~, that a
decree be rendered in favor of your
Orator for their claim, and that said
lands be held ~~liable~~ ^{liable} therefor, and
rented a sufficient length of time
to pay the same. And for all

after further General relief May Super
issues &c.

Hafsa & Preliminary Ser Off.

L.H.P.

Banett & Higgins

vs 3 Bill Chy

Wm H. Nickles et al

Exhibits to B. Chy.

1883 Sept. 27th Bill Filed

" Octo, Spas with order of
attachment, Ord. Pub. & cont'd

" Novr, attachment served
Order Pub. Completed &
Cause set for hearing

" Novr. 1. Decree & cont'd

1884 March Decree final

Barnett & Higgins

Plff

Against

Wm H. Stickles

Def

} In chg.

This cause came on this day upon, the bill of the plff and exhibits filed and the order of Publication and being set for hearing, and argued by counsel. It is adjudged ordered and decreed that the plffs recover from the defendant Wm H. Stickles the sum of \$330; and legal interest thereon from August 26th 1877, until paid - and the costs of this suit - And unless the ~~Plffs~~ or some one for him pay the same within 20 days from the rising of this Court - then A. L. Pridemore, who is appointed hereby a special Commissioner thereof, ~~whose duty it~~ shall ~~be~~ to sell so much of the land in the bill mentioned, on credit of one or two years as will pay said debt - The costs of suit & sale will be required to be paid in hand. The sale will be made on some Court day in front of the Court House of Lee County to the highest bidder - But before making sale hereunder, the Commissioner will advertise the time, terms & place of sale for at least thirty days before sale - He will take hereby bearing interest payable to himself as Commissioner for the deferred payments and with ample security therefore - But before

Barnett & Higgins

vs
Decree
for sale

Wm H. Buckley

Nov. 7. 1863

Entered P. D. 359-60

J. A. G. Hyatt
Clerk

Enter this
Dec. 1st 1863

J. A. K.

the plff shall be entitled to the benefit
of this decree he shall enter into to bond
before the Clerk of this Court in a
penalty of \$700. with security deemed
good by the Clerk conditioned to abide
by & perform any future orders & decrees
hereafter made, upon the said
Buckley hereafter appearing thereto and
making defense. Said Court will
report his actual to this Court at
some future term & the cause is con-
tinued.

Virginia Lee County to wit
 This day A. L. Pondmore person-
 ally appeared before me the un-
 dersigned and made oath, that
 Wm H. Stickle is a nonresident ^{and that he is informed & believes from the Blair}
 of the state of Virginia - And he is
 informed and believes that the said
 Wm H. Stickle is indebted to the
 firm of "Bonnett & Higgins" in the
 sum of \$226 with legal interest thereon
 from the 26th day of August 1877 - And
 that said Wm H. Stickle as a member
 of the firm of ^{as the firm Marion Blair} Stickle and Blair is
 further indebted to said Bonnett & Higgins
 due & payable at the same time the
 further sum of \$104 with like interest
 Given under my hand this the
 day of June 1883.

J. A. Hyatt Clerk

226
 104

 330

Wm a non resident.

Banett & Higgins

v4 } ~~Bill Che~~
Affidavit

Wm H. Nickles

\$226⁰⁰



Whitesburg Ky Apr 26 1877
 Four months after date I promise to pay
 to the Order of Barrett & Higgins
 Two Hundred & twenty six ⁰⁰/₁₀₀ Dollars
 payable at their office Balt
 Value received waiving all Statutory Exemption & Stay Laws
 Due Aug 26th 1877
 W. S. Nichols

No.

Bancroft & Higgins

\$104⁰⁰



Louisville Ky apled 1877
 Four months after date I promise to pay
 to the Order of Barrett & Higgins
 One Hundred & four — ⁰⁰/₁₀₀ Dollars.
 payable at their office Balto
 Value received waiving all Statutory Exemption & Stay Laws
 Due Aug^t. 26th 1877 Nicholas Blair

No.

Panetta Higgins

Virginia

In the Clerk's Office of the Circuit Court
for Lee County at the Court House thereof
on Thursday the 27th day of September 1883.

Barrett & Higgins

Plffs

In Chancery

against

Wm. H. Nickles et als

Defts

The object of this suit, is to recover
against Wm. H. Nickles & Nickles & Blair
the sum of \$330.⁰⁰ with legal interest thereon
from the 26th day of August 1877, till
paid, and to subject to the payment
thereof the Land of Wm. H. Nickles
lying in Lee County Virginia, in
the Bill and proceedings mentioned
which has been attached for the purpose;
and it appearing from an affidavit
filed in this Cause that the Defendants
Wm. H. Nickles & Marion Blair are non-
residents of this State:- It is therefore
ordered that they appear here within one
month after due publication of this
order to do what may be necessary
to protect their interest in this suit.

A. L. Pridemore, D. C. J. A. Hyatt
Clerk

Barnett & Higgins
vs $\frac{3}{4}$ Ord. Pub

Wm. H. Nickles et al

I certify that I
delivered an office
copy of the within
order to the Lee Co.
Sentinel for Publication
on the 27th Sept. 1883
& ~~posted~~ a like
copy at the front
door of the C. H.
on the 16th day of
Octo. that being
Co Court.

J. A. Hyatt
Clerk

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

Wm H. Nickles
and Marion Blair

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

October next being rule day to answer a bill in chancery exhibited in our said Court against *them*

by

Wm D. Barrett and Jesse
S. Higgins

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

27th

day of

September

1883

, in the 10

year of the Commonwealth.

J. A. G. Hyatt Clerk

The proper affidavit showing cause made, the
officer serving this process, will attach
upon the lands of Wm. St. Nickles lying
on the head Mallens creek, and shall
the same subject to the future orders
of the Court.

J. H. Stoughton
Clerk

(D)

Barrett & Higgins
vs $\frac{1}{3}$ Spa in chey
Wm. St. Nickles et al
Lo October Rules 1883

Executed by attach-
ing on the Land
of Wm. St. Nickles lying
on the Head of Mallens
creek, known as the
Samuel St. Duff farm,
this 29 Sept, 1883
the right, being a non resident

R. D. Feltonary B.L.C.

Publisher's Certificate.

Jonesville, Va., Nov. 27th, 1883.

I. F. R. STICKLEY, *Publisher of the LEE COUNTY SENTINEL,*
a weekly newspaper published at Jonesville, Lee County, Virginia, do
certify that the annexed Chancery Order was published four successive
weeks in said newspaper, publication ending Nov. 9, 1883.

I. F. R. Stickley, Publisher.

VIRGINIA.—In the Clerk's office of
the Circuit Court for Lee County, at
the Court House thereof on Tuesday the
27th day of September 1883.

Barnett & Higgins Pliffs }
vs } In Ch'cy.
Wm. H. Nickles et als Defs. }

The object of this suit, is to recover
against Wm. H. Nickles & Nickles & Blair
the sum of \$330 00 with legal interest
thereon from the 25th day of August
1877, and to subject to the payment
thereof, the land of Wm. H. Nickles lying
in Lee County Va. in the Bill and pro-
ceedings mentioned which has been at-
tached for the purpose and it appearing
from an affidavit filed in this cause that
the defendants Wm. H. Nickles and
Marion Blair are non resident of this
State:—It is ordered that they appear
here within one month after due publica-
tion of this order to do what may be
necessary to protect their interest in this
suit.

A Copy Teste

J. A. G. HYATT

A. L. Pridemore P. Q. Clerk.

Pub's fee
\$5.00

Barnett & Higgins

3 Pubrs
u 3 Certificate

W H Nickles val

Pubrs. See

\$5.00

Standing No. *408*

-IN-

LEE CIRCUIT COURT.

Plffs ATTY.	<i>Barrett & Higgins</i>	Def's ATTY.
Plffs costs.	<i>Bill in</i>	Def's costs.
\$	<i>vs.</i>	\$
.....	<i>Chancery.</i>	
.....	<i>Mrs. H. Nichols</i>	
.....		
.....		
.....		
.....		
.....		
Total \$		\$

Reference Docket *1* Page *33* Line *12*

1st calling Term *188*

Decided *Mand* Term *1884*

408